

**U.S. BANKRUPTCY COURT
FOR THE CALIFORNIA NORTHERN BANKRUPTCY COURT**

**Honorable Stephen L. Johnson
Thursday, September 12, 2019**

Current as of 9/10/2019 at 7:32 AM

San Jose Courtroom 9

**U.S. Courthouse and Federal Bldg.
280 S 1st Street
San Jose, CA 95113**

10:00 AM **15-53501** Dennis H. Houghtby and
Ch 13 Nancy J. Houghtby
Trustee: Derham-Burk

Moving: Renee C. Mendoza

Opposing:

Debtor or Plaintiff Attorney: Renee C. Mendoza
Cathleen Cooper Moran

Matter: **Motion for Hardship Discharge Filed by Debtors (147)**

***Trustee's Statement of Non-Opposition (152)**

Comment **Tentative Ruling: Motion will be granted.**

10:00 AM **16-51713** Michael Leyson Sablad and
Ch 13 Rosalina Ruivivar Sablad
Trustee: Derham-Burk

Moving: Norma L. Hammes

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **Hearing RE: Objection to Claim Number 16 by Claimant LVNV Funding LLC Filed by Michael Sablad (44)**

***Response filed by Creditor, LVNV Funding LLC (46)**

Comment **Tentative Ruling: Matter will be called.**

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10:00 AM **17-51359** Erwin D'Nard Henderson and
Ch 13 Amanda Lee Henderson
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **Motion for Order Allowing Debtors to Sell Residential Property Pursuant to 11 U.S.C. §363(b) (65)**

***Statement of Non-Opposition filed by Trustee (68)**

Comment **Tentative Ruling: Matter will be called.**

10:00 AM **17-52822** Teresa Marie Davies
Ch 13
Trustee: Derham-Burk

Moving: Jason Vogelpohl

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

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Matter: **Motion for Hardship Discharge Filed by Debtor (45)**

i) Opposition File by Devin Derham-Burk (47)

Comment **Tentative Ruling: Denied. Fails the "best interest" test. Also, no facts showing that modification is impossible.**

10:00 AM **18-51921** Doria Yvette Frias
Ch 13
Trustee: Derham-Burk

Moving: William W. Winters

Opposing:

Debtor or Plaintiff Attorney: William W. Winters

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Matter: **Application for Compensation Fee \$7,500.00 Expenses \$462.41 Filed by William Winters (36)**

Comment **Tentative Ruling: Matter will be called.**

10:00 AM **18-52570** Hector Ignacio Zuno
Ch 13
Trustee: Derham-Burk

Moving: William W. Winters

Opposing:

Debtor or Plaintiff Attorney: William W. Winters

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Matter: **Application for Compensation Fee \$8375.00 and Expenses \$479.17 Filed by William Winters (57)**

Comment **Tentative Ruling: This matter will be called.**

10:00 AM **19-50116** Fernando Castaneda Jimenez and
Ch 13 Maria Eugenia Jimenez
Trustee: Derham-Burk

Moving: Sidney C. Flores

Opposing:

Debtor or Plaintiff Attorney: Sidney C. Flores

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Matter: **Objection to Claim Number 13 by Claimant Surinder K Chawla Filed by Fernando Jimenez (38)**

Comment **Tentative Ruling:** Matter will be called; there are legal and factual disputes.

10:00 AM **19-50743** Nghi Thuy Phuong Le
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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Matter: **Interim Application for Compensation Fee \$3,655.00 Filed by David Boone (35)**

Comment **Tentative Ruling:** Fees will be allowed under § 330(a)(4)(B) and can be paid from any funds the trustee has on hand at time of dismissal.

10:00 AM **19-50935** Janis Lee Archer Arrigoni
Ch 13
Trustee: Derham-Burk

Moving: Michael D. Lee

Opposing:

Debtor or Plaintiff Attorney: Michael D. Lee

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Matter: **Motion for Sale of Property (10315 Kenny Lane, San Jose, CA 95127) Filed by Debtor (24)**

***Conditional Non-Opposition filed by Secured Creditor TIAA, FSB (28)**

***Statement of Non-Opposition filed by the Trustee (29)**

Comment **Tentative Ruling:** Motion will be granted.

10:00 AM **19-51038** Erin Louise Delacroix
Ch 13
Trustee: Derham-Burk

Moving: Cassandra J. Richey

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

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Matter: **Renewed Objection to 2nd Amended Plan Filed by U.S. Bank National Association, as Trustee (40)**

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **19-51064** Linda Lee Reynolds
Ch 13
Trustee: Derham-Burk
Moving: Devin L. Pace
Opposing:
Debtor or Plaintiff Attorney: James W. Haworth

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (28)**

***Opposition filed by Debtor (32)**

Comment **Tentative Ruling: Case will be dismissed. Opposition said sale of real property is imminent but no record of that on docket.**

10:00 AM **19-51293** Salma Merritt
Ch 13
Trustee: Derham-Burk
Moving: Stephen T. Hicklin
Opposing:
Debtor or Plaintiff Attorney: Marc Voisenat

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Matter: **Motion to Confirm Termination or Absence of Stay Filed by Structured Asset Mortgage Investments II Inc., Bear Stearns ARM Trust, Mortgage Pass-Through Certificates, Series 2006-2, U.S. Bank National Association, as Trustee (31)**

Comment **Tentative Ruling: Matter is mis-calendared and should be on relief from stay calendar (Tuesday, 10:30). Motion will be granted.**
